

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:13-cv-00867-SCJ**

BASF Agro B.V., Arnhem (NL), Zurich Branch v. Makhteshim Agan of
North America, Inc. et al
Assigned to: Judge Steve C Jones
Cause: 28:1338 Patent Infringement

Date Filed: 03/19/2013
Date Terminated: 05/24/2013
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

**BASF Agro B.V., Arnhem (NL), Zurich
Branch**

represented by **Erin Wiggins**
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V.

Defendant

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Defendant

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represented by **Kenton Jones Coppage**
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Defendant

Do It Yourself Pest Control, Inc.

represented by **Kenton Jones Coppage**
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Date Filed	#	Docket Text
03/19/2013	<u>1</u>	COMPLAINT with Jury Demand, filed by BASF Agro B.V., Arnhem (NL), Zurich Branch. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee \$ 350.00 receipt number 113E-4470969.) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet)(eop) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 03/20/2013)
03/19/2013	<u>2</u>	Electronic Summons Issued as to Control Solutions, Inc., Do It Yourself Pest Control and Makhteshim Agan of North America, Inc.. (Attachments: # <u>1</u> Do It Yourself Pest, # <u>2</u> Control Solutions)(eop) (Entered: 03/20/2013)
03/20/2013	<u>3</u>	AO Form 120 forwarded to Commissioner. (eop) (Entered: 03/20/2013)
03/20/2013	<u>4</u>	Certificate of Interested Persons and Corporate Disclosure Statement by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Ragland, William) (Entered: 03/20/2013)
03/26/2013	<u>5</u>	NOTICE Of Filing INSTRUCTIONS FOR CASES ASSIGNED TOTHE HONORABLE STEVE C. JONES. (pdw) (Entered: 03/26/2013)
04/03/2013	<u>6</u>	APPLICATION for Admission of Kenneth A. Gallo Pro Hac Vice (Application fee \$ 150, receipt number 113E-4499872)by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Attachments: # <u>1</u> Text of Proposed Order Order of Admission [K. Gallo])(Ragland, William) (Entered: 04/03/2013)
04/03/2013	<u>7</u>	APPLICATION for Admission of Kripa Raman Pro Hac Vice (Application fee \$ 150, receipt number 113E-4500201)by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Attachments: # <u>1</u> Text of Proposed Order Order of Admission [K. Raman])(Ragland, William) (Entered: 04/03/2013)

04/03/2013	<u>8</u>	APPLICATION for Admission of Erin Wiggins Pro Hac Vice (Application fee \$ 150, receipt number 113E-4500246)by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Attachments: # <u>1</u> Text of Proposed Order Order of Admission [E. Wiggins])(Ragland, William) (Entered: 04/03/2013)
04/04/2013	<u>9</u>	NOTICE of Appearance by Kenton Jones Coppage on behalf of Control Solutions, Inc., Do It Yourself Pest Control, Inc., Makhteshim Agan of North America, Inc. (Coppage, Kenton) (Entered: 04/04/2013)
04/05/2013	<u>10</u>	STIPULATION <i>And Acknowledgement of Service of Summons and Complaint</i> by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Ragland, William) (Entered: 04/05/2013)
04/05/2013	<u>6</u>	RETURN of <u>6</u> APPLICATION for Admission of Kenneth A. Gallo Pro Hac Vice (Application fee \$ 150, receipt number 113E-4499872) to attorney for correction re: Order. (pb) (Entered: 04/05/2013)
04/05/2013	<u>8</u>	RETURN of <u>8</u> APPLICATION for Admission of Erin Wiggins Pro Hac Vice (Application fee \$ 150, receipt number 113E-4500246) to attorney for correction re: Order. (pb) (Entered: 04/05/2013)
04/05/2013	<u>7</u>	APPROVAL by Clerks Office re: <u>7</u> APPLICATION for Admission of Kripa Raman Pro Hac Vice (Application fee \$ 150, receipt number 113E-4500201). Attorney Kripa Raman added appearing on behalf of BASF Agro B.V., Arnhem (NL), Zurich Branch (cdg) (Entered: 04/05/2013)
04/05/2013	<u>11</u>	APPLICATION for Admission of Kenneth A. Gallo Pro Hac Vice by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Ragland, William) (Entered: 04/05/2013)
04/05/2013	<u>12</u>	APPLICATION for Admission of Erin Wiggins Pro Hac Vice by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Ragland, William) (Entered: 04/05/2013)
04/05/2013	<u>11</u>	APPROVAL by Clerks Office re: <u>11</u> APPLICATION for Admission of Kenneth A. Gallo Pro Hac Vice. Attorney Kenneth A. Gallo added appearing on behalf of BASF Agro B.V., Arnhem (NL), Zurich Branch (pb) (Entered: 04/05/2013)
04/05/2013	<u>12</u>	APPROVAL by Clerks Office re: <u>12</u> APPLICATION for Admission of Erin Wiggins Pro Hac Vice. Attorney Erin Wiggins added appearing on behalf of BASF Agro B.V., Arnhem (NL), Zurich Branch (pb) (Entered: 04/05/2013)
04/19/2013	<u>13</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or in the Alternative</i> , MOTION to Transfer Case to Middle District of North Carolina with Brief In Support by Control Solutions, Inc., Do It Yourself Pest Control, Inc., Makhteshim Agan of North America, Inc.. (Attachments: # <u>1</u> Exhibit A – Complaint, # <u>2</u> Exhibit B – Consent Judgment, # <u>3</u> Brief in Support of Defendants' Motion to Dismiss or in the Alternative to Transfer)(Coppage, Kenton) (Entered: 04/19/2013)
04/24/2013	<u>7</u>	MINUTE ORDER granting <u>7</u> Application for Admission Pro Hac Vice of Kripa Raman. Entered by Judge Steve C. Jones on 4/24/2013. (pdw) (Entered: 04/24/2013)
04/24/2013	<u>11</u>	MINUTE ORDER granting <u>11</u> Application for Admission Pro Hac Vice of Kenneth A. Gallo. Entered by Judge Steve C. Jones on 4/24/2013. (pdw) (Entered: 04/24/2013)
04/24/2013	<u>12</u>	MINUTE ORDER granting <u>12</u> Application for Admission Pro Hac Vice of Erin Wiggins. Entered by Judge Steve C. Jones on 4/24/2013. (pdw) (Entered: 04/24/2013)
05/02/2013	<u>14</u>	Consent MOTION for Extension of Time Respond to Motion to Dimiss or Transfer re: <u>13</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or in the Alternative</i> MOTION to Transfer Case to Middle District of North Carolina by BASF Agro B.V., Arnhem (NL), Zurich

		Branch. (Attachments: # <u>1</u> Text of Proposed Order)(Ragland, William) (Entered: 05/02/2013)
05/03/2013	<u>15</u>	ORDER GRANTING <u>14</u> Motion for Extension of Time to Respond to <u>13</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, or in the Alternative, MOTION to Transfer Case. Response due on or before May 13, 2013. Signed by Judge Steve C. Jones on 5/03/2013. (jtj) (Entered: 05/03/2013)
05/13/2013	<u>16</u>	RESPONSE in Opposition re <u>13</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or in the Alternative</i> MOTION to Transfer Case to Middle District of North Carolina filed by BASF Agro B.V., Arnhem (NL), Zurich Branch. (Attachments: # <u>1</u> Brief Declaration of Erin Wiggins, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5)(Ragland, William) (Entered: 05/13/2013)
05/23/2013	<u>17</u>	PROPOSED CONSENT ORDER and Stipulation re: <u>13</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM <i>or in the Alternative</i> MOTION to Transfer Case to Middle District of North Carolina. (Ragland, William) (Entered: 05/23/2013)
05/24/2013	<u>18</u>	ORDER withdrawing the <u>13</u> Motion to Dismiss for Failure to State a Claim and granting the <u>13</u> Motion to Transfer Case. Pursuant to 28 U.S.C. §1404, this action is hereby transferred to the U.S. District Court for the Middle District of North Carolina. Signed by Judge Steve C Jones on 05/24/13. (aaq) (Entered: 05/24/2013)
05/24/2013	<u>I</u>	Civil Case Terminated. (aaq) (Entered: 05/24/2013)